

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mattias Johansson et al.

Group Art Unit: 3682

Serial No.: 10/091,889

Examiner: Hansen, Colby

Filed: March 5, 2002

For: ADJUSTABLE PEDAL ASSEMBLY

DECLARATION UNDER 37 C.F.R. § 1.132

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, Mattias Johansson, hereby state that:

1. I am a citizen of Sweden.
2. I am currently employed as a design engineer for Teleflex Automotive Sweden AB (Teleflex). I have worked in the field of vehicle pedals since 1996 and I have been employed by Teleflex since 1996.
3. I am an inventor of the adjustable pedal assembly disclosed and claimed in the subject patent application, serial no. 10/091,889.
4. I am aware of, have read, and understand the adjustable pedal design disclosed in U.S. Patent No. 2,860,720 to Huff et al. (Huff et al.). From my reading of Huff et al., I also understand the operation of the adjustable pedal assembly disclosed therein.
5. As a result of my review and understanding of Huff et al., it is apparent that Huff et al. includes an accelerator pedal 62 and a brake pedal 60 that pivot about respective pivot axes 64. Actuation rods 66 are connected to the accelerator 62 and brake 60 pedals for actuating a throttle control and braking device, respectively, during the pivoting of the pedals 62, 60 about the pivot axes 64. Huff et al. also discloses an adjustment element 40, 42, in the form of a large floor plate, for moving the pedals 62, 60 between various operative positions.
6. It is well known in the automotive industry that rods or cables for the

accelerator or brake pedals cannot be actuated during the adjustment of these pedals. If these rods or cables are actuated, then the vehicle would accelerate, brake, or do both during the adjustment of the pedals, which is obviously an undesirable result.

7. The accelerator 62 and brake 60 pedals of Huff et al. pivot about their pivot axes 64 during the adjustment of the pedals 62, 60. In other words, the pedals 62, 60 pivot about the pivot axes 64 during adjustment such that the actuation rods 66 do not move during adjustment. Hence, the pivoting of the pedals 62, 60 during adjustment ensures that the pedals 62, 60 will not actuate a throttle control and/or a braking device of the vehicle.

8. I have also reviewed the animation of Huff et al. This animation accurately illustrates the movement of the actuation rods during the adjustment of the pedals if the pedals were not allowed to pivot about the pivot axes. If this type of operation were to occur, then the throttle control and/or brake device would be actuated during adjustment of the pedals. This animation further supports my position outlined in paragraph 7 that the pedals must pivot about the pivot axes during adjustment in order to prevent movement of the actuation rods and subsequent actuation of the throttle control and brake device.

9. As is also well known in the automotive industry, electronic signal generators sense any and all movement of a pedal about its pedal axis. The electronic signal generators then transmit this movement to the appropriate throttle control or brake device. If an electronic signal generator was placed on the pedal pivot axes 64 of Huff et al. and the pedals 62, 60 of Huff et al. still pivoted about the pivot axes 64 as discussed in paragraph 7, then the electrical generator would sense the pivoting of the pedals 62, 60 during the adjustment of the pedals 62, 60 between the operative positions. The vehicle would then accelerate, brake, or do both during the adjustment of the pedals 62, 60 thereby rendering the adjustable pedal assembly disclosed in Huff et al. inoperable.


10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true, and further that these statements were made with the knowledge that willful and false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity

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of the application or patent issued thereon.

Respectfully submitted,

Dated: 2004-04-14


Mattias Johansson